REMARKS

Initially, Applicants wish to thank the Examiner for the detailed Final Office Action and for the Notice of References Cited.

In the outstanding Final Office Action, claims 58-69 were rejected under 35 U.S.C. §102(b) as being anticipated by GAECHTER et al. (U.S. Patent No. 5,463,685). Claims 47-57 were rejected under 35 U.S.C. §103(a) as being unpatentable over GAECHTER in view of CHATURVEDI (U.S. Patent No. 7,106,706).

Applicants traverse the rejection of claims 58-69 under 35 U.S.C. §102(b) as being anticipated by GAECHTER. Claim 58 recites, *inter alia*, sending, in response to receiving a network device message from a network device which receives an outbound communication and sends the network device message to a communication processor when a condition is satisfied, a communication processor message including the action to be taken for controlling the outbound communication.

The cited portion of GAECHTER in column 4, lines 20-66 teaches an outbound call management system 52 including an automatic call dialing system 64 which automatically dials a predetermined phone number selected by a subscriber at a preselected time. The outbound call management system 52 dials each of the predetermined numbers selected by the subscriber and follows predetermined strategies in response to the behavior of the public switched telephone network as a result of the attempted phone call. For example, if a telephone call placed on a network by the automatic call dialing system 64 is not answered or a busy signal is detected, a call management module 68 may direct the automatic call dialing system 64 to place the

telephone number at the end of a queue to be attempted again at a later time (*see* column 5, lines 5-22 of GAECHTER).

The cited portions of GAECHTER at column 5, lines 5-22 describe possible treatment for an unsuccessful call. That is, if the call placed by a call management system is answered by a busy signal, then the call management system attempts to dial additional numbers. However, GAECHTER does not teach or suggest sending a network device message to a communication processor when a condition is satisfied, as specified in claim 58. That is, the call management system in GAECHTER does not send a message in response to receiving an outbound communication, let alone in response to a condition being satisfied. A telephone or subscriber unit as described by GAECHTER as configuring dialing programs does not receive outbound communications, rather a telephone merely initiates communication.

Insofar as GAECHTER merely contemplates a subscriber interfacing with a network based outbound call management complex by using voice or DTMF commands (*see* Abstract of GAECHTER), it would not be possible to combine the teachings of GAECHTER with the teachings of CHATURVEDI. That is, CHATURVEDI discloses establishing a packet-data session between a user terminal and a translation node and does not teach or suggest interfacing with a telecommunications network.

Accordingly, GAECHTER does not teach or suggest sending a communication processor message, let alone sending a communication processor message in response to receiving a network device message, as specified in claim 58. Moreover, GAECHTER does not teach or suggest that a communication processor message includes an action to be taken for controlling the outbound communication, as specified in claim 58.

In addition, the Office Action did not cite specification elements of GAECHTER as separately teaching a communications processor and a network device.

The subject matter of the claims of the present application includes enabling a subscriber to configure a service control point which instructs a switch and/or service node/intelligent peripheral to perform actions. A web browser interface is used by the subscriber to configure the service control point. Exemplary actions include forwarding a call, sending a page, using a dialing prefix, disallowing a call, and prompting for a personal identification number. A switch receives a call and sends a switch message in response to the call being placed. When the switch message is received and a condition (i.e., based on outbound call rule information configured by the subscriber) is met, a service control point control message based on action information (i.e., related to the rule) is sent to the switch. The switch initiates an action based on action information in the service point control message. (*See* Applicants' specification as published, paragraphs [0042]-[0044]).

Arguments made with respect to independent claim 58 substantially apply also with respect to the rejection of independent claim 47. In addition, the Office Action relies on CHATURVEDI as teaching a memory and a sender. In particular, the Examiner cites storage 90 as teaching a memory and host 84 as teaching a sender. Further, the Office Action cites data storage 90 as holding a set of logic (*e.g.*, computer instructions) 98 executable by a processor 88, to carry out various functions. However, the cited portions of CHATURVEDI do not cure the deficiencies of GAECHTER. Further, modifying GAECHTER with CHATURVEDI in the manner proposed by the Examiner would still not result in the claimed combination of features.

Accordingly, independent claims 47 and 58 are allowable at least for each and all of the reasons set forth above. Claims 48-57 and 59-69 are allowable at least because each of these claims depends, directly or indirectly, from an allowable independent claims 47 and 58, as well as for additional reasons related to their own recitations.

With regard to claim 60, GAECHTER broadly describes taking action based on a response to a call (e.g., answered, unanswered, busy) and not based on whether a portion of a dialed number satisfies a condition of the outbound communication rule information.

With regard to claim 62, GAECHTER does not teach or suggest blocking the outbound communication. Rather, GAECHTER discloses rerouting those call that do not reach completion in an intended manner.

With regard to claim 64, GAECHTER does not teach or suggest a service management system.

With regard to claim 65, GAECHTER does not teach or suggest a web server, let alone that outbound communication rule information is configurable by a subscriber via a web server. Rather, GAECHTER merely indicates that subscriber uses a telephone to communicate predetermined telephone numbers.

With regard to claim 68, GAECHTER does not teach or suggest determining whether outbound communication satisfies a plurality of conditions nor conditions of a plurality of rules. Rather, GAECHTER merely indicates a single condition, *e.g.*, if a call is not answered, answered, or a busy signal is detected with respect to a telephone call (see column 5, lines 5-9 of GAECHTER).

With regard to claims 48 and 52, the combination of GAECHTER and CHATURVEDI does not teach or suggest that outbound communication rule information

is configurable over the internet, as recited in claim 48 or that outbound communication rule information is configurable for a subscriber using a web browser, as recited in claim 52. Rather, the cited portions of GAECHTER and CHATURVEDI merely indicate the use of a telephone or subscriber unit to configure dialing programs.

With regard to claim 53, the combination of GAECHTER and CHATURVEDI does not teach or suggest that the action relates to disallowing the outbound communication. Rather, GAECHTER and CHATURVEDI merely disclose that if a call placed by a call management system is answered by a busy signal, then the call management system attempts to dial additional numbers.

With regard to claim 54, the combination of GAECHTER and CHATURVEDI does not teach or suggest that an action to be taken for controlling an outbound communication relates to routing the outbound communication via a carrier associated with a dial-around code.
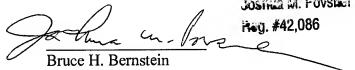
With regard to claim 56, the combination of GAECHTER and CHATURVEDI does not teach or suggest that outbound communication rule information comprises a plurality of conditions. Rather, GAECHTER merely indicates a single condition, *e.g.*, if a call is not answered, answered, or a busy signal is detected with respect to a telephone call (see column 5, lines 5-9 of GAECHTER).

Accordingly, reconsideration and withdrawal of the rejection of claims 58-69 under 35 U.S.C. §102(b) as being anticipated by GAECHTER and of the rejection of claims 47-57 under 35 U.S.C. §103(a) as being unpatentable over GAECHTER in view of CHATURVEDI is requested.

In view of the herein contained remarks, Applicants respectfully request reconsideration and withdrawal of the previously asserted rejections set forth in the Office Action of July 16, 2008 together with an indication of the allowability of claims 1-18. Such action is respectfully requested and is believed to be appropriate and proper.

If any extension of time is deemed to be necessary to maintain the pendency of the application, including any extension of time fees for entry of an Examiner's Amendment, the U.S. Patent and Trademark Office is hereby requested and authorization is hereby provided to charge any necessary fees to maintain the pendency of this application to Deposit Account No. 19-0089. Should there be any questions regarding this Response, any representative of the U.S. Patent and Trademark Office is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
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